

Appln. No.: 10/553,339

Page 2

Amendment dated: February 12, 2008

Reply to the Office Action of September 18, 2007

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1 to 3B. These sheets replace the original sheets.

REMARKS

Claims 1 to 19 are pending in this application.

The Objections to the Drawings

The drawings are objected to. In particular, Figs 1 to 3B are objected to for not including the legend "Prior Art". Actually, Applicant's records indicate that replacement drawings with the appropriate "Prior Art" legend had been filed on October 14, 2005. Nevertheless, a set of replacement drawings are included herewith. Reconsideration and withdrawal of the rejection are respectfully requested.

The Objection to the Claims

Claims 1-19 are objected to for informalities. In particular, claim 1 is objected to because of lack of antecedent basis for the phrase "the reverse rotation." Claims 7, 16 and 17 are objected to for informalities set forth in the Office Action. It is respectfully submitted that all of these informalities have been corrected by the amendments herein. Reconsideration and withdrawal of the rejection are respectfully requested.

The Rejections based upon Prior Art

1. Claims 1-3, 5-10 and 12-19 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,000,760 ("Chung '760"). Chung '760 is directed to a device for tilting a headrest for automobiles and moving the headrest forward and backward.

Claim 1 is amended to recite that the ratchet member (RM) is provided with a gear portion (116) formed with a plurality of teeth (116a) and a jaw (116b) and disposed on a central part of the horizontal portion (112) of the stay (114). Moreover, the parallel members of the tilt adjusting device (TAD) each have a lower portion in pivotal engagement with the central part of the horizontal portion (112) of said stay (114), and the parallel members of the back and forth movement device (MD) are pivotably connected to the central part of the horizontal portion (112) of said stay (114), adjoining the ratchet member (RM).

Support for these recitations can be found in the drawings at Figs. 4-7, 9, 10, 12, 13, 15, 16, 18 and 19, for example.

In the present invention all of the elements, and particularly the back and forth movement device (MD) are concentrated or collectively arranged on a central part of the horizontal portion (112) of the stay (114). Chung '760 does not disclose such a feature. As can be seen, for example, at Figs. 8 and 9 of Chung '760, the two back and forth movement devices 100 are each located at a respective end portion of the horizontal portion 11 of the stay 10. This arrangement requires the use of brackets 110 and 110' fixed at the end portions the horizontal portion 11 of the stay 10, to which mobile panels 150 and 150' are pivotally connected via levers 130/130' and 140/140'. The present invention does not require an equivalent to brackets 110/110'. This arrangement allows the headrest assembly of the present invention to be more compact and firm. Accordingly, Chung '760 neither discloses nor suggests the invention as claimed. Reconsideration and withdrawal of the rejection are respectfully requested.

2. Claims 4 and 11 are rejected under 35 U.S.C. §103(a) as being obvious over Chung '760 in view of U.S. Patent No. 4,650,549 ("Yokota"). Yokota is directed to a headrest for a vehicle seat and is cited for disclosing a ratchet member (5) having two opposite gear portions (12).

Yokota does not cure the deficiencies of Chung '760 discussed above. As can be seen from Fig. 2 of Yokota, movable frames 6/6' are mounted at the end portions of the horizontal portion of stay (2), and neither discloses, nor suggests the features of Applicant's claims as described above.

Accordingly, even if these two references were to be combined as suggested in the Office Action, Applicant's claimed invention would not be disclosed or suggested. Reconsideration and withdrawal of the rejection are respectfully requested.

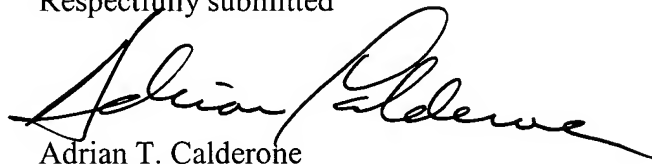
Other Matters

Upon review of corresponding U.S. Publication No. 2007/0013219 it was discovered that in paragraph [0065] between "elastic" and "of the spring" the phrase "[text missing or illegible when filed]" was inserted. Applicant's copy of the specification appears to be perfectly legible. The missing word is "force" such that the phrase should read "... elastic force of the spring ...". The Examiner is requested to refer to page 10 of the submitted specification, and confirm that the paragraph at lines 13-17 is legible and complete.

CONCLUSION

For at least the reasons stated above all of the pending claims are submitted to be in condition for allowance, the same being respectfully requested.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Adrian Calderone', written in a cursive style.

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